

CRIME REPORTS OF SEXUAL VIOLENCE

Understanding victim behavior and its social context is critical to understanding the obstacles victims face in reporting. Research shows that rates of false reporting are frequently inflated, in part because of inconsistent definitions and protocols or a weak understanding of sexual assault. Misconceptions about false reporting rates have direct, negative consequences and can contribute to why many victims don't report sexual assaults (Lisak, Gardinier, Nicksa, & Cote, 2010).

REPORTING SEXUAL VIOLENCE

The majority of sexual assaults, an estimated 63%, are never reported to the police (Rennison, 2002). The prevalence of false reporting cases of sexual violence is low (Lisak et al., 2010), yet when survivors come forward, many face scrutiny or encounter barriers.

- Some victims distrust law enforcement.
- Completing the forensic exam or "rape kit" can be difficult for victims.
- Victims fear that they will not be believed or fear retaliation. Often, victims are pressured by others not to tell.

VICTIM EXPERIENCE

Sexual assault victims commonly struggle with a range of emotions that make it difficult for them to report or disclose abuse. Some reasons might include:

- Often, victims who do report will delay doing so (Archambault & Lonsway, 2006) for a variety of reasons that are connected to neurobiological and psychological responses to their assault (D'Anniballe, 2010).
- Victims may worry about how reporting will affect their family or friends (Campbell, 1998). Further, they may be fearful of family fracture if the person sexually assaulting them is a family member (Campbell & Raja, 1999).

DEFINITIONS

Since 1929, crime data, such as reported rapes, has been submitted voluntarily by police departments regarding certain crimes. The data becomes a part of the FBI's *Uniform Crime Report (UCR)*.

From the 1920s until 2011, *UCR* defined rape as "carnal knowledge of a female forcibly and against her will." This definition covered only penetration of a woman's vagina by a penis, and excluded other forms of sexual violence. In January 2012, revisions to the *UCR's* definition were announced which broadened it to expand victims and forms of sexual violence.

The new definition is "penetration, no matter how slight, of the vagina or anus with any body part or object,

or oral penetration by a sex organ of another person, without the consent of the victim." (FBI, 2012).

Through the *UCR*, the FBI issues guidelines and definitions related to processing sexual assault cases. Although not all police departments follow these guidelines, they do seek to process and clear cases from their active case log.

The *UCR* identifies three main ways to clear a case: cleared by arrest, cleared by exception, and unfounded (Archambault & Lonsway, 2007). Each category has subdivisions. The unfounded category has two subdivisions: false allegations and baseless.

- **Unfounded report:** A case that is investigated and found to be false or baseless. The "unfounded" classification is often confused with false allegations, in part because the definitions may seem similar. For example, unfounded cases include those that law enforcement believes do not meet the legal criteria for rape. It does not mean that some form of sexual assault may not have occurred, but only that from the legal perspective, in that jurisdiction, the case does not meet the legal criteria or it is "baseless."
- **False report:** A reported crime to a law enforcement agency that an investigation factually proves never occurred.
- **Baseless report:** A report in which it is determined that the incident does not meet the elements of the crime, but it is presumed truthful.

UNSUBSTANTIATED REPORTS

The term 'unsubstantiated report' is not generally used for *UCR* purposes, but is often used in regular language and child abuse reporting. To be unsubstantiated, a report must "provide insufficient evidence to determine whether or not crime occurred" (Archambault, n.d.).

RECASTING

Recanting doesn't mean nothing happened. Recanting can occur for a variety of reasons such as a victim may worry about how the media scrutiny will impact their lives/families, some feel pressured to recant, or others may face retaliation or fear for their safety.

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